



KANSAS
DEPARTMENT OF HEALTH AND ENVIRONMENT
BILL GRAVES, GOVERNOR
Clyde D. Graeber, Secretary

September 26, 2002

Thomas Emond
Senior Environmental, Health and Safety Manager
Clean Harbors, Inc.
2549 North New York
Wichita, KS 67219-4322

REC'D
SEP 30 2002
RCAP

RE: Class 1a Permit Modification - Change of Owner / Operator
Clean Harbors Kansas, LLC; EPA ID# KSD007246846

Dear Mr. Emond:

The Kansas Department of Health and Environment (KDHE) has reviewed and approved the class 1a modification request for a change in the owner / operator of the above referenced facility. Clean Harbors took control of operations on September 6, 2002 and, as of that date, is responsible for fulfilling the conditions of the RCRA permit. The modified permit is attached.

Public notification of the modification must be conducted within 90 days of this approval, in accordance with the provisions of 40 CFR 270.42(a)(ii). The most recent mailing list for the facility kept by KDHE is attached. Please inform KDHE of any changes needed to the mailing list.

If you have any questions, please call me at 785-296-6562.

Sincerely,

Shawn A. Howell, P.E.
Chief, Operating Facilities Unit
Hazardous Waste Permits Section

cc Mark Bradbury - DEA/SCDO/Waste Programs
Demetra Salisbury - EPA Region VII - RCAP
Bill Conners - Clean Harbors (w/o attachments)
Phil Retallick - Safety-Kleen Corp. (w/o attachments)

RCRA



551079

DIVISION OF ENVIRONMENT
Bureau of Waste Management

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**FACILITY MAILING LIST FOR
CLEAN HARBORS KANSAS, LLC
2549 N. NEW YORK
WICHITA, KANSAS 67219
EPA I.D. NUMBER KSD007246846**

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Clean Harbors Kansas
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Honorable Pat Roberts
U.S. Senate
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Dodge City, KS 67801

Honorable Sam Brownback
U.S. Senate
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U.S. Congressman

Honorable Todd Tiahrt
U.S. House of Representatives (4th Dist)
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State Senator

Honorable U.L. "Rip" Gooch
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Kansas House (District 103)
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Honorable Ruby Gilbert
Kansas House (District 89)
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City of Wichita
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Wichita, KS 67202

County Commissioner - Fourth District
Sedgwick County Board of Commissioners
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Environmental Health Director
Wichita-Sedgwick County
Dept. of Community Health
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City Council Member
City Council - District #6
455 N. Main
Wichita, KS 67202

City Council Member
City Council - District #1
455 N. Main
Wichita, KS 67202

Radio Station

KFDI - AM & FM
ATTN: Legal Advertising
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U.S. Environmental Protection Agency
Region VII-RCRA Branch
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Division of Water Resources
Kansas Department of Agriculture
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Commander (MEP)
Second Coast Guard District
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Steve Williams, Secretary
Kansas Department of Wildlife and Parks
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Gordon E. Stockemer, Commissioner
Kansas Wildlife and Parks
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Wichita, KS 67202

Director
Kansas Water Office
109 SW 9th St., Suite 300
Topeka, KS 66612-1249

Tracy D. Streeter, Executive Director
State Conservation Commission
109 SW 9th, Suite 500
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U.S. Corps of Engineers
Attn: ED-T
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Kansas City, MO 64106

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Ex. 6 PII

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Ronald K. Robertson

Revised 12/23/98
Revised 10/13/99
Revised 1/28/00
Revised 1/2/02
Revised 9/18/02

STATE OF KANSAS

DEPARTMENT OF HEALTH AND ENVIRONMENT DIVISION OF ENVIRONMENT

Hazardous Waste Management Facility Permit Part I

In accordance with the provisions of Kansas Statutes Annotated 65-3430 et. seq. permission is hereby granted to:

Operator: *Clean Harbors Kansas, LLC*

Owner: *Clean Harbors Kansas, LLC*

Location: *2549 North New York
Wichita, Kansas*

EPA Identification Number: *KSD007246846*

for storage and treatment of hazardous waste in Subpart X units, containers and tanks.

This permit (Part I) is being issued in accordance with rules and regulations of the Department of Health and Environment and the following-named conditions and requirements to wit: the Permittee must comply with all terms and conditions in Section I through Section V of this permit. The permit consists of the conditions contained herein, including those in any attachments, the permit application and all applicable hazardous waste regulations contained in K.A.R. 28-31-1 through 28-31-14 in effect on the date of issuance of this permit. This permit shall remain in effect even if the Hazardous and Solid Waste Amendments permit (Part II) is terminated or expired.

This permit shall become effective at 12:01 a.m. on April 7, 1995 and shall remain in effect until April 7, 2005 unless revoked and reissued, or terminated or continued in accordance with K.A.R. 28-31-9.

Done at Topeka, this 29th day of March 1995



(Signature in File)

Secretary
Kansas Department of Health and Environment

**CLEAN HARBORS KANSAS, LLC
STORAGE AND TREATMENT PERMIT
WICHITA, KANSAS FACILITY
EPA I.D. # KSD007246846**

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SECTION I - STANDARD PERMIT CONDITIONS

I.A. EFFECT OF PERMIT

Clean Harbors Kansas, LLC, hereinafter referred to as the Permittee, is allowed to store and treat hazardous waste at its Wichita, Kansas facility in accordance with the conditions of this Permit. Any treatment, storage or disposal of hazardous waste not authorized in this Permit is prohibited. The federal regulations are adopted by reference in Kansas Administrative Regulations (K.A.R.) 28-31-1 through 28-31-14. All citations to federal regulations are for the sake of convenience. In situations where state regulations differ from the federal ones, they are also referenced and take precedence.

Subject to 40 CFR 270.4, compliance with this Permit generally constitutes compliance, for the purposes of enforcement, with K.S.A. 65-3430 et seq., K.A.R. 28-31-1 through 28-31-14 and Subtitle C of the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA). Issuance of this Permit does not convey any property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local law or regulations. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; Sections 106(a), 104 or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq., commonly known as CERCLA), or any other law providing for protection of public health or the environment. [40 CFR 270.4, 270.30(g)]

I.B. PERMIT ACTIONS

I.B.1. Permit Modification, Revocation and Reissuance, and Termination

This Permit may be modified, revoked and reissued, or terminated for cause, as specified in 40 CFR 270.41, 270.42, and 270.43. If cause exists, the Secretary may modify or revoke and reissue this Permit in accordance with 40 CFR 270.41. When this Permit is modified only the conditions subject to the modification are reopened. If this Permit is revoked and reissued, the entire Permit is reopened and subject to revision, and may be reissued for a new term.

The Secretary will approve or deny modifications to this Permit requested by the permittee in accordance with 40 CFR 270.42. The modifications will become an enforceable part of this Permit. The filing of a request for a Permit modification, revocation and reissuance, or

termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any Permit condition. [40 CFR 270.4(a) and 270.30(f)]

I.B.2. Permit Renewal

This Permit may be renewed as specified in 40 CFR 270.30(b) and Permit Condition I.E.2. Review of any application for a Permit renewal shall consider improvements in the state of control and measurement technology, as well as changes in applicable regulations. [40 CFR 270.30(b), HSWA Sec. 212]

I.C. SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby. [40 CFR 124.16(a)]

I.D. DEFINITIONS

For purposes of this Permit, terms used herein shall have the same meaning as those in K.S.A. 65-3430, K.A.R. 28-31-1 and 28-31-2, and 40 CFR Parts 124, 260, 262, 264, 266, 268, and 270, unless this Permit specifically provides otherwise. When the same word is defined in the Kansas statutes or regulations and in the federal regulations and the definitions are not identical, the definition in the Kansas statutes or regulations shall control. "Secretary" means the Secretary of the Kansas Department of Health and Environment (KDHE) or a designee or authorized representative of KDHE.

Where terms are not defined in the regulations or the Permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

I.E. DUTIES AND REQUIREMENTS

I.E.1. Duty to Comply

The Permittee shall comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency Permit. Any Permit noncompliance, other than noncompliance authorized by an emergency Permit, constitutes a

violation of RCRA and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application. [40 CFR 270.30(a)]

I.E.2. Duty to Reapply

If the Permittee wishes to continue an activity allowed by this Permit after the expiration date of this Permit, the Permittee shall submit a complete application for a new Permit at least one hundred and eighty (180) days prior to Permit expiration, unless permission for a later submission date has been granted. The application for a new permit must be submitted prior to the expiration date of this Permit. [40 CFR 270.10(h), 270.30(b)]

I.E.3. Permit Expiration

Pursuant to 40 CFR 270.50, this Permit shall be effective for a fixed term not to exceed ten (10) years. As long as KDHE is the permit-issuing authority, this Permit and all conditions herein will remain in effect beyond the Permit's expiration date, if the Permittee has submitted a timely, complete application (see 40 CFR 270.10, 270.13 through 270.29) and, through no fault of the Permittee, the Secretary has not issued a new Permit, as set forth in 40 CFR 270.51.

I.E.4. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee, in an enforcement action that it would have been necessary, to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit. [40 CFR 270.30(c)]

I.E.5. Duty to Mitigate

In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures, as are reasonable, to prevent significant adverse impacts on human health or the environment. [40 CFR 270.30(d)]

I.E.6. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit. [40 CFR 270.30(e)]

I.E.7. Duty to Provide Information

The Permittee shall furnish to the Secretary, within a reasonable time, any relevant information which the Secretary may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Permittee shall also furnish to the Secretary, upon request, copies of records required to be kept by this Permit. [40 CFR 264.74(a), 270.30(h)]

I.E.8. Inspection and Entry

Pursuant to 40 CFR 270.30(i) and K.A.R. 28-31-12, the Permittee shall allow the Secretary, or an authorized representative, upon the presentation of credentials and other documents, as may be required by law, to:

- I.E.8.a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
- I.E.8.b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- I.E.8.c. Inspect and photograph at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- I.E.8.d. Sample or monitor, at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

I.E.9. Monitoring and Records

- I.E.9.a. Samples and measurements taken for the purpose of monitoring or required for compliance shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261 or an equivalent method approved by the Secretary. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, Standard Methods of Wastewater Analysis, or an equivalent method approved by the Secretary, as specified in the Waste Analysis Plan - Appendix C-2 of the Part B permit application. [40 CFR 270.30(j)(1)]
- I.E.9.b. The Permittee shall retain records of all monitoring information for all waste received and generated at the facility, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this Permit, the certification required by 40 CFR 264.73(b)(9), and records of all data used to complete the application for this Permit for a period of at least three (3) years from the date of the sample, measurement, report, record, certification, or application. These periods may be extended by request of the Secretary at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility. [40 CFR 264.74(b) and 270.30(j)(2)] The permittee shall maintain records from all groundwater monitoring wells for the active life of the facility and post-closure care period for disposal facilities.
- I.E.9.c. Pursuant to 40 CFR 270.30(j)(3), records of monitoring information shall specify:
- i. The dates, exact place, and times of sampling or measurements;
 - ii. The individuals who performed the sampling or measurements;
 - iii. The dates analyses were performed;
 - iv. The individuals who performed the analyses;
 - v. The analytical techniques or methods used; and
 - vi. The results of such analyses.

I.E.10. Reporting Planned Changes

The Permittee shall give notice to the Secretary, as soon as possible, of any planned physical alterations or additions to the permitted facility. [40 CFR 270.30(l)(1)]

I.E.11. Reporting Anticipated Noncompliance

The Permittee shall give advance notice to the Secretary of any planned changes in the permitted facility or activity which may result in noncompliance with Permit requirements. [40 CFR 270.30(l)(2)]

I.E.12. Transfer of Permits

This Permit is not transferable to any person, except after notice to the Secretary. The Secretary may require modification or revocation and reissuance of the Permit pursuant to 40 CFR 270.40. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of K.A.R. 28-31-9(c), 40 CFR Parts 264 and 270 and this Permit. [40 CFR 270.30(l)(3), 264.12(c)]

I.E.13. Twenty-Four Hour Reporting

I.E.13.a. The Permittee shall report to the Secretary any noncompliance which may endanger health or the environment. Any such information shall be reported orally within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. The report shall include the following:

- i. Information concerning release of any hazardous waste that may cause an endangerment to public drinking water supplies.
- ii. Any information of a release or discharge of hazardous waste, or of a fire or explosion from the hazardous waste management facility which could threaten the environment or human health outside the facility.

I.E.13.b. The description of the occurrence and its cause shall include:

- i. Name, address, and telephone number of the owner or operator;

- ii. Name, address, and telephone number of the facility;
- iii. Date, time, and type of incident;
- iv. Name and quantity of materials involved;
- v. The extent of injuries, if any;
- vi. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
- vii. Estimated quantity and disposition of recovered material that resulted from the incident.

I.E.13.c. A written submission shall also be provided within five (5) days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period(s) of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Secretary may waive the five-day written notice requirement in favor of a written report within fifteen (15) days. [40 CFR 270.30(l)(6)]

I.E.14. Other Noncompliance

The Permittee shall submit a written report of all other instances of hazardous waste noncompliance not otherwise required to be reported above in Permit Conditions I.E.10.- 14., at the time monitoring reports are submitted. The reports shall contain the information listed in Permit Condition I.E.13. [40 CFR 270.30(l)(10)]

I.E.15. Other Information

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the Permit application, or submitted incorrect information in a Permit application or in any report to the Secretary, the Permittee shall promptly submit such facts or information. [40 CFR 270.30(l)(11)]

I.E.16. Other Requirements

- I.E.16.a. The permittee shall defend, indemnify, and hold harmless the State of Kansas, against all actions, claims, and demands whatsoever which may arise from or on account of the issuance of this Permit.
- I.E.16.b. Within thirty (30) calendar days after receipt of the final permit, the Permittee shall submit a certification that the applicant has read the permit in its entirety and understands all the permit conditions contained herein.

I.F. SIGNATORY REQUIREMENT

All applications, reports, or information submitted to or requested by the Secretary, a designee, or authorized representative, shall be signed and certified in accordance with 40 CFR 270.11 and 270.30(k).

I.G. REPORTS, NOTIFICATIONS, AND SUBMISSIONS TO THE SECRETARY

All reports, notifications, or other submissions which are required by this Permit shall be reported or sent directly to the **Chief of the Permits Section, Kansas Department of Health and Environment, Building 740, Forbes Field, Topeka, Kansas 66620-0001.**

I.H. CONFIDENTIAL INFORMATION

In accordance with 40 CFR 270.12, the Permittee may claim confidential any information required to be submitted by this Permit.

I.I. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittee shall maintain at the facility, until final closure is completed and certified by an independent, registered professional engineer, the following documents and all amendments, revisions and modifications to these documents:

- I.I.1. A copy of the hazardous waste facility permit.
- I.I.2. A copy of the approved Part B permit application including but not limited to the following:
 - I.I.2.a. Waste Analysis Plan, as required by 40 CFR 264.13 and this Permit.
 - I.I.2.b. Inspection schedules, as required by 40 CFR 264.15(b)(2) and this Permit.

- I.I.2.c. Personnel training documents and records, as required by 40 CFR 264.16(d) and this Permit.
- I.I.2.d. Contingency Plan, as required by 40 CFR 264.53(a) and this Permit.
- I.I.2.e. Operating record, as required by 40 CFR 264.73 and this Permit.
- I.I.2.f. Annually-adjusted cost estimate for facility closure as required by 40 CFR 264.142(d) and this Permit.
- I.I.2.g. Closure Plan, as required by 40 CFR 264.112(a) and this Permit.
- I.I.2.h. All documents required by Permit condition I.E.9.

SECTION II - GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

The Permittee shall construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment, as required by 40 CFR 264.31.

II.B. REQUIRED NOTICES

II.B.1. Hazardous Waste Imports

The Permittee shall notify the Secretary in writing at least four (4) weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source, as required by 40 CFR 264.12(a). The initial shipment notice shall contain the following exporter or foreign source information; name, address, EPA identification number, EPA hazardous waste numbers and quantity of each waste. Notice of subsequent shipments of the same waste from the same foreign source is not required.

II.B.2. Hazardous Waste from Off-Site Sources

When the Permittee is to receive hazardous waste from an off-site source (except where the Permittee is also the generator), he must inform the generator in writing that he has the appropriate Permits, and will accept the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the operating record. [40 CFR 264.12(b)]

II.C. GENERAL WASTE ANALYSIS

The Permittee shall follow the waste analysis procedures required by 40 CFR 264.13, as described in the Waste Analysis Plan - Section C-2 of the Part B permit application.

The Permittee shall verify the analysis of each waste stream at least once every two years as part of its quality assurance program, in accordance with Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Publication SW-846, or equivalent methods approved by the Secretary. At a minimum, the Permittee shall maintain proper functional instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct

calculations. If the Permittee uses a contract laboratory to perform analyses, then the Permittee shall inform the laboratory in writing that it must operate under the waste analysis conditions set forth in this Permit.

II.D. SECURITY

The Permittee shall comply with the security provisions of 40 CFR 264.14(b)(2) and (c) and the Facility Security - Section B-5 of the Part B permit application.

The Permittee must prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto the active portions of this facility. An artificial or natural barrier which completely surrounds the active portion of the facility and a means to control entry through gates or other entrances to the facility must be maintained at all times.

In addition, the Permittee must post signs bearing the legend "Danger - Unauthorized Personnel Keep Out" and "No Smoking" at each entrance to the active portion of the facility and at other locations in sufficient numbers to be seen from any approach to the facility. This legend must be written in English and must be legible from a distance of at least 25 feet.

The Permittee will advise the Department if unauthorized entry occurs at the facility which causes hazardous waste to be discharged, the nature of problems, if any, that resulted from this occurrence and the corrective action taken by the facility to prevent future happenings. This includes any tampering, destruction, or loss at the facility which causes a release of hazardous waste.

II.E. GENERAL INSPECTION REQUIREMENTS

The Permittee shall comply with the inspection requirements of 40 CFR 264.15, 264.174, and 264.195. The Permittee shall follow the inspection schedule set out in Inspection Schedule - Section F-3 of the Part B permit application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, as required by 40 CFR 264.15(c). Records of inspection shall be kept on-site, as required by 40 CFR 264.15(d).

II.F. PERSONNEL TRAINING

The Permittee shall conduct personnel training, as required by 40 CFR 264.16. This training shall follow the Training Program - Section I-1 and I-2 of the Part B permit application. The Permittee shall maintain training documents and records, as required by 40 CFR 264.16(d) and (e).

II.G. SPECIAL PROVISIONS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

The Permittee shall comply with the requirements of 40 CFR 264.17(a). The Permittee shall follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in: 1) General Container Management Practices - Section D-3, 2) Operational Practices - Section E-3, and 3) Prevention of Reaction of Ignitable, Reactive and Incompatible Wastes - Section G-6 of the Part B permit application respectively.

II.H. LOCATION STANDARDS

This facility is not located within the 100 year flood plain or in an area identified in Appendix VI of 40 CFR 264; therefore, no specific location standards apply to this facility.

II.I. PREPAREDNESS AND PREVENTION

II.I.1. Required Equipment

At a minimum, the Permittee shall maintain the safety and emergency equipment set forth in the Equipment Requirements - Section G-4a of the Part B permit application at the facility, as required by 40 CFR 264.32.

II.I.2. Testing and Maintenance of Equipment

The Permittee shall test and maintain the equipment specified in Permit Condition II.I.1, as necessary, to assure its proper operation in time of emergency, as required by 40 CFR 264.33.

II.I.3. Access to Communications or Alarm System

The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34.

II.I.4. Required Aisle Space

At a minimum, the Permittee shall maintain aisle space as required by 40 CFR 264.35 Use of Management of Containers - Section D and Aisle Space Requirement - Section G-4b of the Part B permit application.

II.I.5. Arrangements with Local Authorities

The Permittee shall maintain arrangements with state and local authorities, as required by 40 CFR 264.37. If state or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document the refusal in the operating record.

II.J. CONTINGENCY PLAN

II.J.1. Implementation of Plan

The Permittee shall immediately carry out the provisions of the Contingency/Emergency Plan - Section H of the Part B permit application, whenever there is a fire, explosion, or release of hazardous waste or constituents which could threaten human health or the environment.

II.J.2. Copies of Plan

The Permittee shall comply with the requirements of 40 CFR 264.53.

II.J.3. Amendments to Plan

The Permittee shall review and immediately amend, if necessary, the Contingency Plan as required by 40 CFR 264.54. Amendment of the Contingency Plan is subject to the permit modification at the request of the Permittee provisions in 40 CFR 270.42.

II.J.4. Emergency Coordinator

A trained emergency coordinator shall be available at all times in case of an emergency, as required by 40 CFR 264.55.

The names, addresses, and phone numbers of all persons qualified to act as emergency coordinators shall be listed in the Contingency Plan. The emergency coordinator must have

the authority to commit the resources needed to carry out the Contingency Plan. [40 CFR 264.52(d)]

II.J.5. Emergency Procedures

Whenever there is an imminent or actual emergency situation, the Permittee shall immediately comply with the requirements of 40 CFR 264.56.

II.K. RECORDKEEPING AND REPORTING

In addition to the recordkeeping and reporting requirements specified elsewhere in this Permit, the Permittee shall do the following:

II.K.1. Operating Record

The Permittee shall maintain a written operating record at the facility in accordance with 40 CFR 264.73.

II.K.2. Biennial Report

The Permittee shall comply with the biennial reporting requirements of 40 CFR 264.75.

II.K.3. Manifest System

The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72, and 264.76.

II.L. GENERAL CLOSURE REQUIREMENTS

II.L.1. Performance Standard

The Permittee shall close the facility, as required by 40 CFR 264.111, 264.112(a) and (b), 264.178, 264.197 and in accordance with the Closure Plan - Section J of the Part B permit application.

II.L.2. Amendment to Closure Plan

The Permittee shall amend the Closure Plan in accordance with 40 CFR 264.112(c), whenever necessary.

II.L.3. Notification of Closure

The Permittee shall notify the Secretary in writing at least forty-five (45) days prior to the date on which they expect to begin partial or final closure of the facility, as required by 40 CFR 264.112(d).

II.L.4. Time Allowed For Closure

After receiving the final volume of hazardous waste, the Permittee shall treat, remove from the unit or facility, or dispose of on site all hazardous waste and shall complete closure activities, in accordance with 40 CFR 264.113 and the schedules specified in the Closure Plan - Section J-7, J-9a(3), and J-9b(3) of the Part B permit application.

II.L.5. Disposal or Decontamination of Equipment, Structures, and Soils

The Permittee shall decontaminate and/or dispose of all contaminated equipment, structures, and soils, as required by 40 CFR 264.114 and the Disposal or Decontamination of Equipment, Structure and Soils - Section J-4a of the Part B permit application.

II.L.6. Certification of Closure

The Permittee shall certify that the facility has been closed in accordance with the specifications in the Closure Plan, as required by 40 CFR 264.115.

II.M. COST ESTIMATE FOR FACILITY CLOSURE

II.M.1. The Permittee's most recent closure cost estimate, prepared in accordance with 40 CFR 264.142 and 264.197(c)(3), is specified in Financial Requirements - Section J -10 of the Part B permit application.

II.M.2. The Permittee must adjust the closure cost estimate for inflation within sixty (60) days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with 40

CFR 264.143 and Permit Condition II.N. upon such date as required by the state. [40 CFR 264.142(b)]

If using the financial test demonstration, the Permittee must adjust the closure cost estimate for inflation within thirty (30) days after the close of the firm's fiscal year and before submission of updated information to the Secretary as specified in 40 CFR 264.142(b).

II.M.3. The Permittee must revise the closure cost estimate whenever there is a change in the facility's Closure Plan as required by 40 CFR 264.142(c).

II.M.4. The Permittee must keep at the facility the latest closure cost estimate as required by 40 CFR 264.142(d).

II.N. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

The Permittee shall demonstrate continuous compliance with 40 CFR 264.143 by providing documentation of financial assurance as required by 40 CFR 264.151 or 264.149 in at least the amount of the cost estimates required by Permit Condition II.M.. Changes in financial assurance mechanisms and coverage amounts must be accomplished in accordance with the applicable provision of 40 CFR 264.143.

II.O. LIABILITY REQUIREMENTS

The Permittee shall demonstrate continuous compliance with the requirement of 40 CFR 264.147(a) to have and maintain liability coverage for sudden and accidental occurrences in the amount of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

II.P. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

The Permittee shall comply with 40 CFR 264.148.

II.Q. GENERAL POST-CLOSURE REQUIREMENTS

If the Permittee cannot practicably remove all contaminated soils, or if groundwater has become contaminated by releases from a Subpart X unit, the Permittee shall provide post-closure care for that Subpart X unit in accordance with all closure and post-closure care requirements that apply to landfills (40 CFR 264.310). In such a case, the Permittee must also meet all of the requirements for landfills specified

in Subparts F, G and H of 40 CFR 264. The Permittee shall submit a Post-Closure Plan designed to meet the above requirements no later than 90 days after the date that the Permittee or the Secretary determines that the unit must be closed as a landfill.

The Post-Closure Plan will be reviewed for approval in accordance with the procedures set forth in Section V.J. herein.

After approval of the Plan, the Permittee shall initiate a Permit modification to incorporate the Plan as part of the Permit.

SECTION III - STORAGE AND/OR TREATMENT IN CONTAINERS

III.A. UNIT DESCRIPTION - CONTAINER STORAGE/TREATMENT AREAS

There are a total of seven (7) container management areas; Building D, Processing Area, Building C, Drum Dock, Building B, Building I, and Building J utilized for container storage and/or treatment of hazardous waste which are covered by the Permit. All of the buildings, with the exception of the Processing Area and Drum Dock, are enclosed structures fabricated of metal or cinder block with secondary containment. The secondary containment consists of concrete diking/walls or cinder block construction on concrete pads that are free of cracks. Secondary containment in several areas have continuous water stops in construction joints and/or are sealed with a chemically resistant coating for added protection. The secondary containment in each building is subdivided into container management units in accordance with the specification and plans in the Part B permit application with perimeter curbs (diking) to contain potential spills and to prevent run-on and run-off.

All wastes accepted at the facility can be managed in any container management unit, except as specifically excluded elsewhere in this permit.

- III.A.1. Building D is divided into three (3) container management units D100, D200 and D300. D100 and D200 share a secondary containment system. The materials managed in this building are ignitable and/or non-ignitable or combination of both materials destined for on-site management, recycling as waste fuel, wastewater treatment, solvent recovery, or transport off-site for additional management.
- III.A.2. Processing Area is divided into two (2) container management units P100 and P200. P100 and P200 share a secondary containment system. The materials managed in both units are liquid and solid hazardous waste destined for on-site management, recycling as waste fuel, wastewater treatment, solvent recovery, or transport off-site for additional management.
- III.A.3. Building C is divided into seven (7) container management units; C100, C200, C300, C400, C500, C600, and C700. The materials managed in these seven container management units include ignitable and non-ignitable hazardous waste destined for on-site management, recycling as waste fuel, wastewater management, solvent recovery, or transport off-site for additional management.

- III.A.4. Drum Dock has one (1) container management unit, L100. The materials managed in L100 are containerized hazardous materials destined for on-site management, recycling as waste fuel, wastewater management, solvent recovery, or transport off-site for additional management.
- III.A.5. Building B is divided into four (4) container management units; B100, B200, B300, and B400. The materials managed in these four (4) units are corrosive and non-ignitable hazardous wastes destined for on-site management, recycling as waste fuel, wastewater management, solvent recovery, or transport off-site for additional management.
- III.A.6. Building I is divided into three (3) container management units; I100, I200, and I300. The materials managed in these three (3) units are ignitable, non-ignitable, reactive, non-reactive and other hazardous wastes. These materials are destined for on-site management, recycling as waste fuel, wastewater management, solvent recovery or transport off-site for additional management.
- III.A.7. Building J is divided into seven (7) container management units; J100, J200, J300, J400, J500, J600, and J700. The materials managed in these seven (7) units are ignitable, non-ignitable, reactive, non-reactive and other hazardous wastes. These materials are destined for on-site management, recycling as waste fuel, wastewater management, solvent recovery or transport off-site for additional management.

III.B. PERMITTED AND PROHIBITED WASTE IDENTIFICATION

- III.B.1. The Permittee shall operate and maintain the container storage areas in accordance with 40 CFR 264, Subpart I and the specification and design criteria submitted in the Part B application. The Permittee is allowed to store and/or treat hazardous wastes identified in Attachment A of this Permit in the container storage areas, subject to the terms of this Permit. The storage and/or treatment of hazardous waste not listed in Attachment A from off-site sources is prohibited.
- III.B.2. The Permittee shall segregate the hazardous waste and non-hazardous waste in each container management unit as specified in the Handling of Containers - Section D-3b of the Part B permit application. The total quantity of waste in storage must not exceed the amount specified in the table in III.B.3. for each unit. Non-hazardous waste being stored in the above areas is also subject to the terms of this Permit.

- III.B.3. The Permittee is allowed to store a maximum volume of three hundred twenty five thousand four hundred and ninety (325,490) gallons of hazardous waste in the areas described in III.A., provided that the maximum capacity of each container management unit specified below is not exceeded, subject to the terms of this Permit.

LOCATION	CONTAINER MANAGEMENT UNIT	MAXIMUM CAPACITY (GALLONS)	REMARK
Building D	D100/D200	43,120	
	D300	3,520	
Total Capacity		46,640	
Processing Area	P100/P200	9,900	
Building C	C100	880	
	C200	880	
	C300	13,200	**
	C400	10,120	
	C500	10,560	
	C600	10,560	
	C700	52,910	
Total Capacity		99,110	
Drum Dock	L100	14,960	
Building B	B100	6,600	**
	B200	21,120	**
	B300	19,800	**
	B400	7,480	**
Total Capacity		55,000	

LOCATION	CONTAINER MANAGEMENT UNIT	MAXIMUM CAPACITY (GALLONS)	REMARK
Building I	I100	22,880	**
	I200	3,520	
	I300	24,200	
Total Capacity		50,600	
Building J	J100	24,640	
	J200	5,280	
	J300	3,520	
	J400	3,520	
	J500	3,520	
	J600	3,520	
	J700	5,280	
Total Capacity		49,280	
GRAND TOTAL CONTAINER STORAGE CAPACITY		325,490	

(**) See Section III.J. of this Permit for special condition.

III.C. CONDITION OF CONTAINERS

If a container storing hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in compliance with the conditions of this Permit. [40 CFR 264.171]

III.D. COMPATIBILITY OF WASTE WITH CONTAINERS

The Permittee shall use a container made of or lined with materials which will not react with and are otherwise compatible with the hazardous waste to be stored or treated, so that the ability of the container to contain the waste is not impaired. [40 CFR 264.172]

III.E. MANAGEMENT OF CONTAINERS

The Permittee shall keep all containers closed during storage, except when it is necessary to add or remove waste, and shall not open, handle, or store containers in a manner which may rupture the container or cause it to leak. [40 CFR 264.173]

III.F. CONTAINMENT SYSTEM

The Permittee shall operate and maintain the containment system(s) for the container management unit(s) in accordance with the attached plans and specifications, contained in Storage of Containers with Free Liquids - Section D.2 of the Part B permit application. [40 CFR 264.175]

The Permittee shall remove waste spillage, waste leakage, and/or accumulated precipitation from the secondary containment system as soon as practicable or within twenty-four (24) hours.

III.G. INSPECTION SCHEDULES AND PROCEDURES

The Permittee shall inspect the container storage area(s) in accordance with the schedule specified in the Inspection Schedule - Section F-3 of the Part B permit application, to detect leaking containers, deterioration of containers and the containment system(s) caused by corrosion or other factors. [40 CFR 264.174]

III.H. RECORDKEEPING

The Permittee shall place the results of all waste analyses and trial tests and any other documentation showing compliance with the requirements of 40 CFR 264.17(c) and 264.177 in the facility operating record. [40 CFR 264.73]

III.I. CLOSURE

At closure of the container storage area(s), the Permittee shall remove all hazardous waste and hazardous waste residues from the containment system(s), in accordance with the procedures in the Closure Plan - Section J of the Part B permit application and 40 CFR 264.113. [40 CFR 264.178]

III.J. SPECIAL CONTAINER PROVISIONS FOR IGNITABLE OR REACTIVE WASTE

III.J.1. The Permittee shall not locate containers holding ignitable or reactive waste within fifteen (15) meters (50 feet) of the facility's property line. The Permittee is prohibited to manage ignitable or reactive waste in container management unit(s) B100, B200, B300, B400, C300 and the west twenty-five (25) feet of I100. [40 CFR 264.176]

III.J.2. The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and follow the procedures specified in Prevention of Reaction of Ignitable, Reactive and Incompatible Wastes - Section G-6 of the Part B permit application. [40 CFR 264.17(a) and 264.176]

III.K. SPECIAL CONTAINER PROVISIONS FOR INCOMPATIBLE WASTE

The Permittee shall manage incompatible wastes in accordance with the procedures specified in Special Requirements for Incompatible Wastes - Section D-3g of the Part B permit application. [40 CFR 264.177]

III.L. SPECIAL PROVISIONS FOR TREATMENT IN CONTAINERS

The Permittee shall operate in accordance with the procedures specified in Treatment in Containers and Tanks, and Container Management - Section C-7.2.5, Appendix C-A - Waste Analysis Plan, Waste Characterization - Section C and Use & Management of Containers - Section D of the Part B permit application.

SECTION IV - STORAGE AND TREATMENT IN TANKS

IV.A. UNIT DESCRIPTION

There are total of twenty-one (21) hazardous waste storage and/or treatment tanks, V-1, V-2, V-3, V-4, V-5, V-6, V-7, V-8, V-9, V-10, V-11, V-12, V-13, V-14, V-15A, V-15B, V-15C, V-15D, V-16, V-17, and V-26. All of the hazardous waste storage and/or treatment tanks are located in roofed structures Building D and the Processing Area. All of the tanks are located within secondary containment with chemical resistant coating, and automatic high level alarms and manual gauging ports are provided on each individual tank. The secondary containment systems of the tanks are designed such that no external shell of any tank, nor any external metal component of a tank is in contact with soil or standing water. The secondary containment systems have been designed to provide sufficient capacity to contain one hundred (100) percent of the capacity of the largest tank within their boundaries or ten (10) percent of the total capacity of tanks and containers, whichever is greater. All of these tanks meet the criteria of Underwriters Laboratories Standard 142 and the National Fire Protection Association Code 30 - 1987. These tanks are also certified by a professional engineer licensed in Kansas to have sufficient structure integrity for storage and/or treatment of hazardous waste.

Building D contains eleven (11) hazardous waste tanks, V-9, V-10, V-11, V-12, V-13, V-14, V-15A, V-15B, V-15C, V-15D and V-16. The materials managed in these tanks are non-ignitable, liquids, sludges, solvents and solvent contaminated water from process equipment.

The Processing Area contains ten (10) hazardous waste tanks, V-1, V-2, V-3, V-4, V-5, V-6, V-7, V-8, V-17, and V-26. The materials managed in these tanks are ignitable and non-ignitable liquids and sludges.

IV.B. PERMITTED AND PROHIBITED WASTE IDENTIFICATION

IV.B.1. The Permittee shall operate and maintain the hazardous waste tank(s) in accordance with 40 CFR 264, Subpart J and the specification and design criteria submitted in the Part B permit application. The Permittee is allowed to store and/or treat hazardous wastes identified in the Attachment A of this Permit in the tanks described in IV.A., subject to the terms of this Permit.

IV.B.2. The Permittee is allowed to store a maximum volume of one hundred thirty seven thousand four hundred and ninety eight (137,498) gallons of hazardous waste in storage and

treatment tanks at the facility, provided that the maximum capacity of each tank specified below is not exceeded, subject to the terms of this Permit.

LOCATION : BUILDING D

TANK #	*** DIMENSIONS	MAXIMUM CAPACITY (GALLONS)
V-9	6'x24'H	5,078
V-10	6'x24'H	5,078
V-11	6'x24'H	5,078
V-12	6'x24'H	5,078
V-13	6'x24'H	5,078
V-14	6'x24'H	5,078
V-15A	6'3"x11'7"H	2,659
V-15B	6'3"x11'7"H	2,659
V-15C	6'3"x11'7"H	2,659
V-15D	6'3"x11'7"H	2,659
V-16	8'x24'H	9,028
TOTAL TANK CAPACITY OF BUILDING D: 50,132		

Dimensions are given in feet and inches. The first dimension is the tank diameter and the second dimension is the length, followed by an 'H' for horizontal tanks.

LOCATION : PROCESSING AREA

TANK #	*** DIMENSIONS	MAXIMUM CAPACITY (GALLONS)
V-1	8'x26'7"V	7,363
V-2	8'x18'10"V	7,084
V-3	8'x26'7"V	7,363
V-4	8'x26'7"V	7,363
V-5	12'x25'7"V	20,895
V-6	12'x25'7"V	20,895
V-7	8'x26'7"V	7,363
V-8	8'x26'7"V	7,363
V-17	3'4"x8"H	522
V-26	6'x5'7"V	1,155
TOTAL TANK CAPACITY OF PROCESSING AREA: 87,366		
GRAND TOTAL TANK CAPACITY: Processing Area + Building D = 137,498		

*** Dimensions are given in feet and inches. The first dimension is the tank diameter and the second dimension is the length, followed by a 'V' for vertical tanks or "H" for horizontal tanks.

IV.C. SECONDARY CONTAINMENT

The Permittee shall operate and maintain the secondary containment system(s), in accordance with the detailed design plans and descriptions contained in Tank Systems - Section E of the Part B permit application. [40 CFR 264.193(b)-(f)]

IV.D. OPERATING REQUIREMENTS

- IV.D.1. The Permittee shall not place hazardous wastes or treatment reagents in a tank system if they could cause the tank, its ancillary equipment, or a containment system to rupture, leak, corrode, or otherwise fail. [40 CFR 264.194(a)]
- IV.D.2. The Permittee shall prevent spills and overflows from the tank or containment systems using the methods described in Procedures to Prevent Hazards and Contingency/Emergency Plan - Section G and H of the Part B permit application. [40 CFR 264.194(b)]

IV.E. RESPONSE TO LEAKS OR SPILLS

In the event of a leak or a spill from a tank system, from a secondary containment system, or if a system becomes unfit for continued use, the Permittee shall remove the system from service immediately and comply with the requirements of 40 CFR 264.196(a)-(f).

- IV.E.1. Stop the flow of hazardous waste into the system and inspect the system to determine the cause of the release.
- IV.E.2. Remove waste and/or accumulated precipitation from the system within twenty-four (24) hours of the detection of the leak to prevent further release and to allow inspection and repair of the system.
- If the collected material is a hazardous waste, it must be managed in accordance with all applicable requirements of 40 CFR Parts 262-264. The permittee shall note that if the collected material is discharged through a point source to U.S. waters or to a publicly owned treatment works (POTW), it is subject to requirements of the Clean Water Act. If the collected material is released to the environment, it may be subject to reporting under 40 CFR Part 302.
- IV.E.3. Contain visible releases to the environment. The Permittee shall immediately conduct a visual inspection of all releases to the environment and based on that inspection: (1) prevent further migration of the leak or spill to soils or surface water and (2) remove and properly dispose of any visible contamination of the soil or surface water.
- IV.E.4. Close the system in accordance with the Closure - Section E-6 and Closure Plan - Section J of the Part B permit application unless the following actions are taken:
- IV.E.4.a. For a release caused by a spill that has not damaged the integrity of the system, the Permittee shall remove the released waste and make any necessary repairs to fully restore the integrity of the system before returning the tank system to service.

- IV.E.4.b. For a release caused by a leak from a primary tank system to the secondary containment system, the Permittee shall repair the primary system prior to returning it to service.
- IV.E.4.c. For a release to the environment caused by a leak from the aboveground portion of a tank system that does not have secondary containment, and can be visually inspected, the Permittee shall repair the tank system before returning it to service.
- IV.E.4.d. For a release to the environment caused by a leak from the portion of a tank system component that is not readily available for visual inspection, the Permittee shall provide secondary containment that meets the requirements of 40 CFR 264.193 before the component can be returned to service.
- IV.E.4.e. If the Permittee replaces a component of a tank system to eliminate the leak, that component must satisfy the requirements for new tank systems or components in 40 CFR 264.192 and 40 CFR 264.193.
- IV.E.5. For all major repairs to eliminate leaks or restore the integrity of a tank system, the Permittee must obtain a certification by an independent, qualified, registered professional engineer that the repaired system is capable of handling hazardous wastes without release for the intended life of the system before returning the system to service. Examples of major repairs are: installation of an internal liner, repair of a ruptured tank or foundation or replacement of a secondary containment system.

IV.F. INSPECTION SCHEDULES AND PROCEDURES

- IV.F.1. The Permittee shall inspect the tank systems, in accordance with the schedule specified in Operational Practices - Section E-3 and Inspection Plan - Section F of the Part B permit application, and shall complete the items in Permit Conditions IV.F.2. and IV.F.3. as part of those inspections:
- IV.F.2. The Permittee shall inspect the overfill controls, in accordance with the schedule specified in Operational Practices - Section E-3 and Inspection Plan - Section F of the Part B permit application. [40 CFR 264.195(a)]
- IV.F.3. The Permittee shall inspect the following components of the tank systems once each operating day: [40 CFR 264.195(b)]

- IV.F.3.a. Aboveground portions of the tank systems, if any, to detect corrosion or releases of waste;
- IV.F.3.b. Data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank systems are being operated according to its design;
- IV.F.3.c. Construction materials and the area immediately surrounding the externally accessible portion of the tank systems, including the secondary containment systems, to detect erosion or signs of releases of hazardous waste (e.g., wet spots, cracks, etc.).
- IV.F.4. The Permittee shall document compliance with Permit Conditions IV.F.1. through IV.F.3. and place this documentation in the operating record for the facility. [40 CFR 264.195(d)]

IV.G. RECORDKEEPING AND REPORTING

- IV.G.1. The Permittee shall verbally report to the Secretary, within twenty-four (24) hours of detection, when a leak or spill occurs from a tank system or secondary containment system to the environment. [40 CFR 264.196(d)(1)]

A leak or spill of one pound or less of hazardous waste, that is immediately contained and cleaned-up, need not be reported. [40 CFR 264.196(d)(2)]

Releases that are contained within a secondary containment system need not be reported unless the secondary containment cracks. If the Permittee has reported the release pursuant to 40 CFR Part 302, that report satisfies the requirements of this permit condition. [40 CFR 264.196(d)(1)]

- IV.G.2. Within thirty (30) days of detecting a release to the environment from a tank system or secondary containment system, the Permittee shall report the following information, in writing, to the Secretary: [40 CFR 264.196(d)(3)]
 - IV.G.2.a. Likely route of migration of the release;
 - IV.G.2.b. Characteristics of the surrounding soil (including soil composition, geology, hydrogeology, and climate);

- IV.G.2.c. Results of any monitoring or sampling conducted in connection with the release. If the Permittee finds it will be impossible to meet this time period, the Permittee should provide the Secretary with a schedule of when the results will be available. This schedule must be provided before the required 30-day submittal period expires;
- IV.G.2.d. Proximity of downgradient drinking water, surface water, and populated areas; and
- IV.G.2.e. Description of response actions taken or planned.
- IV.G.3. The Permittee shall submit to the Secretary all certifications of major repairs to correct leaks within seven (7) days from returning the tank system to use. [40 CFR 264.196(f)]
- IV.G.4. The Permittee shall obtain and keep on file at the facility, the written statements by those persons required to certify the design and installation of the tank systems. [40 CFR 264.192(g)]

IV.H. CLOSURE AND POST-CLOSURE CARE

- IV.H.1. At closure of the tank system(s), the Permittee shall follow the procedures specified in the Closure - Section E-6 and Closure Plan - Section J of the Part B permit application. [40 CFR 264.197(a)]

Appendix J-C, Table J.7 in Section J of the Part B permit application contains a compliance schedule for the partial closure of tanks V-29, V-30, V-31 and V-32. The effective date of the final permit will initiate the authorization to proceed with partial closure.

- IV.H.2. If the Permittee demonstrates that not all contaminated soils can be practically removed or decontaminated, in accordance with the Closure Plan, then the Permittee shall close the tank system and perform post-closure care following 40 CFR 264.197(b) and (c).

IV.I. SPECIAL TANK PROVISIONS FOR IGNITABLE OR REACTIVE WASTES

- IV.I.1. The Permittee shall not place ignitable or reactive waste in tank systems, unless:
 - IV.I.1.a. The waste is treated, rendered, or mixed before or immediately after placement in the tank system, so that the resulting waste, mixture, or dissolved material no longer meets the definition of ignitable or reactive waste in 40 CFR 261.21 or 261.23 and 40 CFR 264.17(b) is complied with; or
 - IV.I.1.b. The waste is stored or treated in such a way that it is protected from any materials or conditions that may cause it to ignite or react; or

IV.I.1.c. The tank system is used solely for emergencies.

The Permittee shall also comply with the procedures specified in Operational Practice - Section E-3 and Procedures to Prevent Hazards - Section J of the Part B permit application. [40 CFR 264.198(a)]

IV.I.2. The Permittee shall comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys, or an adjoining property line that can be built upon, as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981). [40 CFR 264.198(b)]

IV.J. SPECIAL PROVISIONS FOR TREATMENT IN TANKS

The Permittee shall operate in accordance with the procedures specified in the Treatment in Containers and Tanks, and Container Management Activities - Sections C-7.2.5, Appendix C-A - Waste Analysis Plan, Waste Characterization - Section C and Tank Systems - Section E of the Part B permit application.

V. REGULATORY PROVISIONS FOR THE SUBPART X UNITS

V.A. UNIT DESCRIPTION

There are three Subpart X units: drum scraper, drum washer and dispersing unit at the facility. Each of these units may be used to physically or chemically alter hazardous waste managed at the facility. The dispersing unit, drum washer and scraper are located in the Processing Area. All of these units are considered miscellaneous units regulated under 40 CFR 264 Subpart X.

V.B. DESIGN AND OPERATION OF SUBPART X UNITS

V.B.1. The Subpart X units shall be operated according to the procedures described in Section M of the Part B permit application.

V.B.2. The Permittee shall maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment, as required by 40 CFR 264.31.

V.C. GENERAL INSPECTION REQUIREMENTS

The Permittee shall inspect and repair the Subpart X units, and keep records of these activities, in the manner and frequency specified in Section F of the Part B permit application.

V.D. PERSONNEL TRAINING

The Permittee shall conduct personnel training for those personnel which operate the Subpart X units, as required by 40 CFR 264.16. This training program shall be conducted, and the records of the training kept, in accordance with Section I of the Part B permit application.

V.E. PERMITTED WASTE IDENTIFICATION

In Subpart X units, the Permittee is permitted to treat only those wastes identified in Part A of the Part B permit application, except for the prohibition described in Section V.F. below.

V.F. SPECIAL PROVISIONS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

The Permittee shall not treat or place any wastes which meet the definition of reactive waste (D003), as defined in 40 CFR 261.23, in the dispersing unit. The Permittee shall not concurrently place incompatible wastes in a Subpart X unit unless that placement constitutes controlled treatment of the wastes. The Permittee shall not treat a waste in a Subpart X unit if an incompatible waste has been previously treated in the same Subpart X unit, unless 3 unit volumes (as defined in the Part B permit application) of compatible material has been processed through the Subpart X unit since the incompatible waste was processed.

V.G. AIR EMISSIONS FROM PROCESS VENTS AND EQUIPMENT LEAKS

- V.G.1. The Permittee shall comply with the requirements of 40 CFR 264 Subpart AA for all units, owned or operated at the facility now or in the future, which are subject to 40 CFR 264 Subpart AA.
- V.G.2. The Permittee shall also comply with the requirements of 40 CFR 264 Subpart BB for those pumps, valves, compressors, sampling connecting systems, open-ended valves or lines, pressure relief devices, flanges and other connectors, closed vent systems and control devices, which are subject to 40 CFR 264 Subpart BB.
- V.G.3. The Permittee shall meet the test methods and procedures, recordkeeping requirements, and reporting requirements of 40 CFR 264 Subparts AA and BB.

Attachment A

RCRA Waste Codes

Clean Harbors Kansas, LLC
Wichita, Kansas
KSD007246846

The facility may accept for storage the following RCRA waste codes, as defined in 40 CFR 261 Subparts C and D, subject to the terms of this Permit.

Characteristic:

D001
D002
D003

Toxicity Characteristic:

D004	D032
D005	D033
D006	D034
D007	D035
D008	D036
D009	D037
D010	D038
D011	D039
D012	D040
D013	D041
D014	D042
D015	D043
D016	
D017	
D018	
D019	
D020	
D021	
D022	
D023	
D024	

D025
D026
D027
D028
D029
D030
D031

F-listed (Hazardous waste from non-specific sources):

F001
F002
F003
F004
F005
F006
F007
F008
F009
F010
F011
F012
F019
F024
F025
F032
F034
F035
F037
F038
F039

K-listed

K001	K040	K100
K002	K041	K101
K003	K042	K102
K004	K043	K103
K005	K044	K104
K006	K045	K105
K007	K046	K106
K008	K047	K107
K009	K048	K108
K010	K049	K109
K011	K050	K110
K013	K051	K111
K014	K052	K112
K015		K113
K016	K060	K114
K017	K061	K115
K018	K062	K116
K019	K064	K117
K020	K065	K118
K021	K066	K123
K022	K069	K124
K023	K071	K125
K024	K073	K126
K025	K083	K131
K026	K084	K132
K027	K085	K136
K028	K086	K141
K029	K087	K142
K030	K088	K143
K031	K090	K144
K032	K091	K145
K033	K093	K147
K034	K094	K148
K035	K095	K149
K036	K096	K150
K037	K097	K151
K038	K098	
K039	K099	

P-listed

P001	P044	P093
P002	P045	P094
P003	P046	P095
P004	P047	P096
P005	P048	P097
P006	P049	P098
P007	P050	P099
P008	P051	P101
P009	P054	P102
P010	P056	P103
P011	P057	P104
P012	P058	P105
P013	P059	P106
P014	P060	P108
P015	P062	P109
P016	P063	P110
P017	P064	P111
P018	P065	P112
P020	P066	P113
P021	P067	P114
P022	P068	P115
P023	P069	P116
P024	P070	P118
P026	P071	P119
P027	P072	P120
P028	P073	P121
P029	P074	P122
P030	P075	P123
P031	P076	
P033	P077	
P034	P078	
P036	P081	
P037	P082	
P038	P084	
P039	P085	
P040	P087	
P041	P088	
P042	P089	
P043	P092	

U-listed

U001	U041	U080	U120	U159	U200	U247
U002	U042	U081	U121	U160	U201	U248
U003	U043	U082	U122	U161	U202	U249
U004	U044	U083	U123	U162	U203	U328
U005	U045	U084	U124	U163	U204	U353
U006	U046	U085	U125	U164	U205	U359
U007	U047	U086	U126	U165	U206	
U008	U048	U087	U127	U166	U207	
U009	U049	U088	U128	U167	U208	
U010	U050	U089	U129	U168	U209	
U011	U051	U090	U130	U169	U210	
U012	U052	U091	U131	U170	U211	
U014	U053	U092	U132	U171	U213	
U015	U055	U093	U133	U172	U214	
U016	U056	U094	U134	U173	U215	
U017	U057	U095	U135	U174	U216	
U018	U058	U096	U136	U175	U217	
U019	U059	U097	U137	U176	U218	
U020	U060	U098	U138	U177	U219	
U021	U061	U099	U140	U178	U220	
U022	U062	U101	U141	U179	U221	
U023	U063	U102	U142	U180	U222	
U024	U064	U103	U143	U181	U223	
U025	U065	U105	U144	U182	U225	
U026	U066	U106	U145	U183	U226	
U027	U067	U107	U146	U184	U227	
U028	U068	U108	U147	U185	U228	
U029	U069	U109	U148	U186	U234	
U030	U070	U110	U149	U187	U235	
U031	U071	U111	U150	U188	U236	
U032	U072	U112	U151	U189	U237	
U033	U073	U113	U152	U190	U238	
U034	U074	U114	U153	U191	U239	
U035	U075	U115	U154	U192	U240	
U036	U076	U116	U155	U193	U243	
U037	U077	U117	U156	U194	U244	
U038	U078	U118	U157	U196	U245	
U039	U079	U119	U158	U197	U246	